

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL WORKSHOP
Town Hall Council Chambers
Thursday ~ January 9, 2020
6:00 p.m.
AGENDA

- I. Call to Order**
- II. Council, Attorney and Staff Reports**
- III. New Business**
 - A. Review of Proposed Ordinance 480 - Fences and Hedges**
- IV. Old Business**
- VI. Adjournment**

TOWN OF HAVERHILL
LOCAL PLANNING AGENCY
Thursday, January 9, 2020
6:45 p.m.
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
 - a. MAKE RECOMMENDATION TO TOWN COUNCIL RE: ORDINANCE NO. 477**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL REGARDING AN APPLICATION FOR A REZONING, BY REDESIGNATING A 1.83 ACRE PARCEL OF LAND FROM THE EXISTING TOWN OF HAVERHILL ZONING DESIGNATION OF R-2 - TWO FAMILY RESIDENTIAL DISTRICT TO THE TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 - MEDIUM DENSITY RESIDENTIAL DISTRICT, AS REQUESTED BY CHAD RIDDLE, AGENT FOR MF ASSOCIATES HAVERHILL POINT, LLC, CONTRACT PURCHASER FOR THE PROPERTY (OWNER, HAVERHILL BAPTIST CHURCH), WHICH PARCEL IS LOCATED APPROXIMATELY 0.377 MILES SOUTH FROM THE INTERSECTION OF BELVEDERE ROAD AND NORTH HAVERHILL ROAD ON THE WEST SIDE OF NORTH HAVERHILL ROAD ON THE SOUTHEAST CORNER OF CLUB ROAD (EAST) AND HAVERHILL ROAD, BEING A PORTION OF PARCEL CONTROL NUMBER 22-42-43-35-01-008-0016; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF

**TOWN OF HAVERHILL
LOCAL PLANNING AGENCY
Thursday, January 9, 2020
OFFICIAL MINUTES**

According to the foregoing notice, a meeting of the Local Planning Agency was held at the Town Hall, 4585 Charlotte Street, Haverhill, Florida on Thursday, January 9, 2020. Those present were Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Daniel H. Sohn, Council Member; John Fenn Foster, Attorney; Janice C. Rutan, Town Administrator; Todd McLeod, Town Engineer and Cameron Ennis of Schmidt Nichols Land Planners representing Town Planner, Josh Nichols.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:16 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and the Pledge of Allegiance.

ROLL CALL

The Town Administrator reported all members present with the exception of Council Member Uptegraph and Council Member Harvin.

COMMENTS FROM THE PUBLIC

Mayor Foy introduced Commissioner Gregg Weiss who was present in the audience to those present.

APPROVAL OF AGENDA

A motion was made by Vice Mayor Gordon, seconded by Council Member Sohn and unanimously passed (3-0) to adopt the agenda as presented.

MAKE RECOMMENDATION TO TOWN COUNCIL RE: ORDINANCE NO. 477

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL REGARDING AN APPLICATION FOR A REZONING, BY REDESIGNATING A 1.83 ACRE PARCEL OF LAND FROM THE EXISTING TOWN OF HAVERHILL ZONING DESIGNATION OF R-2 - TWO FAMILY RESIDENTIAL DISTRICT TO THE TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 - MEDIUM DENSITY RESIDENTIAL DISTRICT, AS REQUESTED BY CHAD RIDDLE, AGENT FOR MF ASSOCIATES HAVERHILL POINT, LLC, CONTRACT PURCHASER FOR THE PROPERTY (OWNER, HAVERHILL BAPTIST CHURCH), WHICH PARCEL IS LOCATED APPROXIMATELY 0.377 MILES SOUTH FROM THE INTERSECTION OF BELVEDERE ROAD AND NORTH HAVERHILL ROAD ON THE WEST SIDE OF NORTH HAVERHILL ROAD ON THE SOUTHEAST CORNER OF CLUB ROAD (EAST) AND HAVERHILL ROAD, BEING A PORTION OF PARCEL CONTROL NUMBER 22-42-43-35-01-008-0016; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

The title was read by Attorney Fuchs. He explained that at this hearing, the Town Council was serving as the Local planning Agency that makes recommendation to the Town Council on the matter before them.

Because the matter before the LPA was quasi-judicial in nature, Attorney Foster asked each Council Member if they had met with the applicant, his agent or any members of the public as it related to the application before the Local Planning Agency.

Ex parte communications were disclosed:

- **Mayor Foy:** No communication outside of the Public Hearing process
- **Vice Mayor Gordon:** No communication outside of Public Hearing
- **Council Member Sohn:** No communication outside of the Public Hearing

It was clarified that the matter before the Town Council is only for the 1.83 acre parcel owned by the Haverhill Baptist Church and is for the rezoning of that parcel. The land that formally was the trailer park is zoned R-3. This hearing is not for site plan approval.

Chad Riddle of WGI Land Planners, agent for the applicant MF Associates, addressed those present. He gave an overview of the 40 unit townhome project including the proposed site plan. He noted that all developmental standards had been met.

Council Member Daniel Sohn inquired if any of the units were set aside for workforce housing. It was explained that none were set aside but they met the threshold for workforce housing.

Mr. Riddle confirmed these would not be rental units but would be fee simple units.

Council member Sohn confirmed the land being rezoned did not include the actual Church.

The proposed size and price point were next addressed. They were code minimum townhomes 25' wide, two-story with two car garage. Mr. Riddle thought the average square footage of the units were approximately 2000 sf.

Mayor Foy reminded all that the Airport Overlay zone requires the additional parking for the project including additional guest parking. Mayor Foy noted that the parking needed to be a certain footage from the front door of the units so that all the overflow would not be stacked in one area of the project.

In response to Council Member Sohn, Mr. Riddle noted that the architecture of the project had not yet been refined so he could not speak to the number, if any, of handicapped units.

The Town Attorney reported for the record, the Town Planner and Town Engineer have reviewed the project as to its consistency with the Town's Ordinances and had issued a staff report with recommendation for conditions of approval for rezoning, and later site plan approval. The Town Administrator added that the Palm Beach County Traffic Division had reviewed the project and had no objection as well.

There was one entrance to the project off of Haverhill Road.

Mayor Foy offered the floor to Public Comment.

Edward Stalf, 5263 Belvedere Road. Very happy to support the proposal for the property that had become blighted. The property had been an eyesore for Haverhill for many years and he is happy to see it being improved.

Jose, 580 Tall Pines. He has no objection. Is very happy for the improvement which may increase the value of his property, however, is concerned about ingress and egress to Club Road

and suggested that maybe a traffic light would need to be installed. He said sometimes it takes over 7 minutes to get out of his neighborhood. It is a very dangerous situation.

Mayor Foy commented that would be under the County's jurisdiction.

Ray Caranci, 819 Mimosa Court. He agreed that this is an opportunity for the property to be improved. He explained the difference between the R-2 and R-3 designation. He too is concerned about the traffic due to the new industrial park and the Haverhill Point neighborhood. He said traffic is an issue that warrants looking into.

The Town Administrator reminded all that there is vested traffic rights that had been at the trailer park.

Carol Newhart, 4940 Luwal Drive. Complained about the traffic on Haverhill. Mayor Foy stated he did not want to get into the legal history of not wanting to widen Haverhill Road. The Town does not sit by idly and is taking the traffic comments quite seriously.

Gary Arnold, 5324 Toronto Road. He was told the townhomes would be hooking up to sewer and would have Palm Beach County water as well. In response to his inquiry as to when the Town would get sewer. Mayor Foy explained the process to bring sewer into their street.

Jeff Waite, 630 Tall Pines Road. With 40 homes coming in he asked about restrictions from rentals. It was explained they would be sold in fee simple. Restrictions on rentals would have to be through the HOA process. Mr. Waite commented that there would be school buses bringing children to the neighborhood that would also have an adverse effect on the traffic. He also asked about the extra parking spots being afraid of overflow parking. Vice Mayor Gordon explained that each townhome would have a two car garage as well as two parking spaces in the driveway. There would be 8 additional parking spaces.

Ray Caranci, 819 Mimosa Court. In response to his question, it was explained the allowable units per acre in the R-2 zone would be 6, and with the R-3 zone would be 8 per acre.

Attorney Foster reiterated that the entire tract is not being rezoned. The only portion being rezoned is the 1.83 acres of the entire lot. 8 units per acre are already allowed on the trailer park property.

Discussion followed.

Council Member Sohn asked if the rezoning were approved, could it be approved with conditions. Attorney Foster explained that the Conditions of Approval were put forth in a letter dated January 9, 2020 by the Town Engineer and Town Planner.

Todd McLeod, Town Engineer, went over the proposed Conditions of Approval that his office had recommended. He reported that the applicants had no objections to the Engineer's conditions of approval.

Council Member Sohn asked the time frame for the construction to build out. It was estimated construction would last approximately 14 months from the time they break ground, not approval. They anticipated lane closures for construction would last no more than 5 days.

Cameron Ennis, representing Town Planner Josh Nichols addressed those present and offered staff's report. He went over each of the Planner's Conditions of Approval including specific airport overlay construction requirements.

Council Member Sohn asked that the Conditions of Approval be read into the record so that questions posed by those present could be answered.

Again the question of rentals was brought up. The units would be assessed a solid waste and recycling fee.

Hernandez, 5210 Club Road. Complained that the Town is doing nothing to stop the growth of multi-family. He has people in his neighborhood that are cutting up their homes and renting rooms. The project is nice however the traffic will be a nightmare and have an effect on their family life. He is glad the trailer park is gone, but is afraid of the traffic and an increase in garbage fees and taxes, etc. He kept repeating it was it to the residents to decide what to do and turned to the audience to ask them.

Ed Davilla, 1172 Pineway Drive. Retired Army Vet. How much of the environment is going to be for low income, army vets, etc. Who will be buying or renting the units. If the applicant cannot answer the questions, then the project should be reconsidered.

Council Member Sohn stated that he had asked that question about workforce housing and disabled and the applicants meet those thresholds. Mr. Davilla was specifically asking about himself and his brother in arms. Council Member Sohn reminded all that it was stated for the record that the applicants met the threshold for low income.

The Town Administrator reposed that the applicant clearly stated for the record that exact price point could not be disclosed as the project had not gone through full architectural review yet.

Vice Mayor Gordon added the Town of Haverhill has the most affordable housing units in Palm Beach County. It is the intent of the Town Council to maintain the quaint residential quality of the Town. The market will dictate the price point.

Carol Newhart, 4940 Luwal Drive. She accused the Town Council of trying to cut public comment. She asked what the projected price point would be. Again she was told the architectural review had not been done. She feels the project is too big and it needs to be scaled back. Although she agreed the trailer park needed to go, he did not want to see a project of such magnitude.

The Town Administrator reminded all that the Public Hearing was for the rezoning of the project and not for the site plan.

Hernandez, 5210 Club Road. He asked Council to disclose their addresses.

Jay Foy responded that all members had to be residents of Haverhill to sit on Council and gave his address at 1094 Trailaway Lane; Daniel Sohn, 920 Haverhill Road Vice Mayor Gordon, 4823 Berkeley Mews.

Discussion followed.

Council Member Sohn asked what was before Council and what were they being asked to vote on. Attorney Foster reminded him that the Council was sitting as the Local Planning Agency and was charged with making a recommendation to Council to approve, approve with conditions or deny the request for re-zoning of the 1.83 acre of land.

Mayor Foy repeated the matter that was before Council. Attorney Foster noted for the record that it was Staff's recommendation that the rezoning be approved with the Conditions of Approval as

included in the presentation at the January 9, 2020 Public Hearing as these conditions ensure compliance with the Town of Haverhill's Comprehensive Plan.

A motion was then made by Vice Mayor Gordon to approve the rezoning with the understanding that the applicant would have to comply with the Engineer and Planner's conditions of approval. Council Member Sohn stated he would prefer to wait until Council Member Uptegraph was present as he felt all Council Members should be present for the vote. He would not second the motion. **The motion failed for a lack of a second.**

A motion was then made by Council Member Sohn to defer. The motion was seconded by Vice Mayor Gordon and passed 3-0.

UNFINISHED BUSINESS

None.

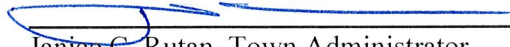
NEW BUSINESS

None.

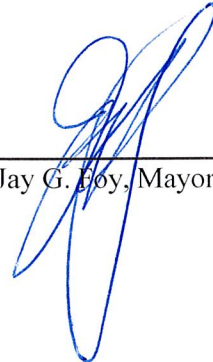
ADJOURNMENT

With no further business to come before the Local Planning Agency, the meeting adjourned at 8:00 p.m.

Approved: 5.14.2020



Janice C. Rutan, Town Administrator



Jay G. Boy, Mayor

SIGN IN SHEET

Regular Council
meeting followed

TOWN OF HAVERHILL
TOWN COUNCIL
PROPOSED ORDINANCE WORKSHOP - HEDGES
Thursday, January 9, 2020
6:00pm - 7:00pm

Name	E- Mail Address	Signature
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